

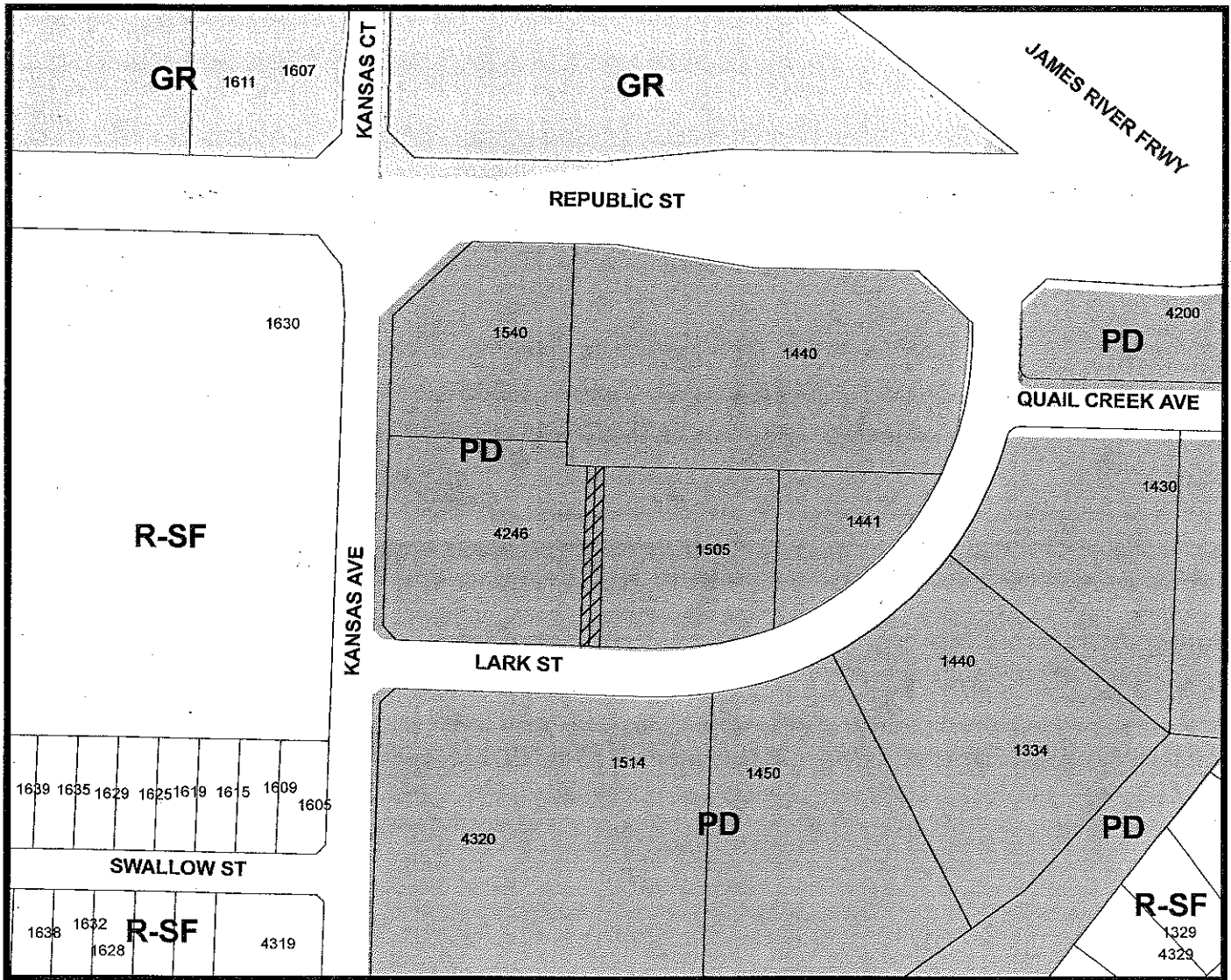
Zoning & Subdivision Report

Planning & Development - 417/864-1611
840 Boonville - Springfield, Missouri 65801

Relinquish Easement 748

Location: 1500 block n/s W. Lark St.

LOCATION SKETCH



- Area of Proposal



1 inch = 200 feet

Zoning & Subdivision Report

*Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801*

REQUEST TO RELINQUISH EASEMENT NUMBER 748

DATE: April 14, 2010

PURPOSE: To relinquish utility and drainage easements

BACKGROUND:

LOCATION: 1500 block n/s W. Lark Street

APPLICANT: QC Land, LLC c/o R. Pendleton

RECOMMENDATION:

The request be **approved** if all replacement easements and escrows have been secured.

FINDING:

The request meets the approval criteria listed in Attachment B.

STAFF CONTACT PERSON:

Daniel Neal
Senior Planner

ATTACHMENTS:

Attachment A: Background report
Attachment B: Approval criteria
Exhibit 1: Legal description
Exhibit 2: Proposed easements to be relinquished

ATTACHMENT A
RELINQUISH EASEMENT NO. 748
BACKGROUND REPORT

APPLICANT'S PROPOSAL:

The applicant is requesting to relinquish platted utility and drainage easements.

CITY UTILITIES COMMENTS:

CU has been working with Hood-Rich to re-route the underground primary electric facilities away from the easement to be relinquished. In order to recommend approval of the relinquishment, the following have to be completed: 1) The customer pays for the CU portion of the relocation work. We are working on an estimate at this time, and I do not believe this will be a problem. 2) Execute a contract between CU and the customer for the customer installed conduit required for the relocation.

There are no gas or water facilities within the easement in question.

STORM WATER COMMENTS:

Relinquishment of drainage easements should be contingent on the construction of improvements and dedication.

BUILDING DEVELOPMENT SERVICES COMMENTS:

No issues.

STAFF COMMENTS:

1. The Planning and Zoning Commission has the authority to relinquish easements if the relinquishment does not affect utilities. The utility and drainage easements were dedicated before any development had occurred and the new development plan will relocate the easements and facilities to accommodate a new building.
2. City Utilities and Public Works Stormwater are requesting replacement easements and escrow of new facilities prior to the relinquishment of the existing easements. If the replacement easements and escrow are not accomplished with CU and Public Works approval prior to the Planning Commission meeting, then staff will request to table the case.
3. No one has objected to this request.

ATTACHMENT B
RELINQUISH EASEMENT NO. 748
APPROVAL CRITERIA

In order to approve a relinquishment of a public easement, the Planning and Zoning Commission must make the following findings:

1. No one has objected to the relinquishment of these easements.

STAFF RESPONSE:

No one has objected to the relinquishment of these easements.

2. The appropriate City agency has filed with the Planning and Development Department a statement that the easement is no longer needed to provide utility service.

STAFF RESPONSE:

City Utilities and Public Works are supportive of this request if the appropriate replacement easements and escrow for new facilities are in place prior to the approval by Planning Commission.

3. That the retention of the easement no longer serves any useful public purpose.

STAFF RESPONSE:

The development plan for the site has changed and utility and drainage easements will be replaced to accommodate the new development.

RELINQUISH EASEMENT NO. 748
EXHIBIT 1

DESCRIPTION OF EASEMENTS TO BE RELINQUISHED:

AN EXISTING ELECTRIC LINE EASEMENT LOCATED IN LOT 3, QUAIL CREEK COMMERCIAL PHASE III, A REPLAT OF LOTS 1, 2, 7, 8 AND 9 OF QUAIL CREEK COMMERCIAL PHASE II, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON PIN BEING THE SOUTHWEST CORNER OF SAID LOT 3, AND A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LARK STREET, AS IT NOW EXISTS; THENCE NORTH 01 DEGREES 52 MINUTES 30 SECONDS EAST, LEAVING SAID RIGHT-OF-WAY LINE AND ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 221.14 FEET TO A POINT BEING THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 88 DEGREES 51 MINUTES 49 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 10.00 FEET TO A POINT; THENCE SOUTH 01 DEGREES 52 MINUTES 30 SECONDS WEST, LEAVING SAID NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 221.27 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF LARK STREET; THENCE NORTH 88 DEGREES 07 MINUTES 30 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, ALL BEING WITHIN SAID LOT 3, CONTAINING 2,212.05 SQUARE FEET, MORE OR LESS.

AN EXISTING DRAINAGE EASEMENT LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 14, TOWNSHIP 28 NORTH, RANGE 22 WEST AND BEING A PART OF LOT 2 OF QUAIL CREEK COMMERCIAL PHASE III, A SUBDIVISION IN SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON PIN BEING THE SOUTHEAST CORNER OF SAID LOT 2, AND A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LARK STREET, AS IT NOW EXISTS; THENCE NORTH 88 DEGREES 07 MINUTES 30 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 01 DEGREES 52 MINUTES 30 SECONDS EAST, LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 221.01 FEET TO A POINT; THENCE SOUTH 88 DEGREES 51 MINUTES 49 SECONDS EAST, A DISTANCE OF 10.00 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE SOUTH 01 DEGREES 52 MINUTES 30 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 221.14 FEET TO THE POINT OF BEGINNING; ALL BEING WITHIN SAID LOT 2, CONTAINING 2,210.76 SQUARE FEET, MORE OR LESS.

